



General Assembly

Sixty-seventh session

Official Records

Distr.: General
30 January 2013

Original: English

Third Committee

Summary record of the 45th meeting

Held at Headquarters, New York, on Tuesday, 27 November 2012, at 10 a.m.

Chair: Mr. Mac-Donald. (Suriname)

Contents

Agenda item 69: Promotion and protection of human rights (*continued*)

- (c) Human rights situations and reports of special rapporteurs and representatives
(*continued*)

This record is subject to correction. Corrections should be sent under the signature of a member of the delegation concerned *within one week of the date of publication* to the Chief of the Official Records Editing Section, room DC2-750, 2 United Nations Plaza, and incorporated in a copy of the record.

Corrections will be issued after the end of the session, in a separate corrigendum for each Committee.

12-60851 (E)



Please recycle



The meeting was called to order at 10.20 a.m.

Agenda item 69: Promotion and protection of human rights (continued)

(c) Human rights situations and reports of special rapporteurs and representatives (continued)
(A/C.3/67/L.50-L.52*)

1. **Ms. Astiasarán Arias** (Cuba), speaking on behalf of the Non-Aligned Movement, said that the members of the Movement continued to strongly oppose the selectivity, double standards and politicization reflected in country-specific draft resolutions. Such resolutions, which tended to target developing States, exploited human rights for political purposes and breached the principles of universality and objectivity in addressing human rights issues.

2. The Human Rights Council had an important role to play as the United Nations organ responsible for the consideration of human rights situations in all countries within the framework of the universal periodic review. The universal periodic review must be an action-oriented, cooperative mechanism based on objective and reliable information; moreover, it must involve an interactive dialogue with the countries under review, to be conducted in a transparent, non-selective, non-confrontational and non-politicized manner.

3. The draft resolutions submitted under the current item targeted members of the Non-Aligned Movement on the basis of purely political motivations; as such, they served only to increase the politicization of human rights issues and negatively affected the credibility of the Human Rights Council as the competent body to assess the human rights situations in all countries, independently of their level of development and political positions. She therefore urged all delegations not to adopt any of the country-specific draft resolutions.

Draft resolution A/C.3/67/L.50: Situation of human rights in the Democratic People's Republic of Korea

4. **The Chair** said that the draft resolution had no programme budget implications.

5. **Mr. Makriyiannis** (Cyprus) said that Chile and Nauru had joined the sponsors. Despite annual General Assembly resolutions on the situation of human rights in the Democratic People's Republic of Korea since

2005, grave, widespread and systematic violations of human rights still prevailed, as underscored by several United Nations reports. No substantive changes had yet come about on the ground and there were serious concerns regarding reports of torture. Regrettably, the Democratic People's Republic of Korea had as yet refused to cooperate with the Special Rapporteur. It was important to speak out on behalf of the victims by adopting the draft resolution; failure to do so would send the political signal that the situation had improved, which was not the case.

6. **Mr. Gustafik** (Secretary of the Committee) said that Turkey was not a sponsor of the draft resolution.

7. **Mr. Kim Song** (Democratic People's Republic of Korea) said that no human rights violations of the sort described in the draft resolution had occurred in his country. It was political propaganda by the United States of America and its followers, aimed at stoking confrontation and undermining his country's goals. Seeking to intervene in the internal affairs of the Democratic People's Republic of Korea and impose another system of government on its people constituted an act of State political terrorism.

8. Previous draft resolutions targeting his country had also consisted of lies. The United States continued to use aid to bring pressure to bear on small developing countries; there was thus a total lack of justice or impartiality in the adoption of such draft resolutions. Similarly, the Governments of the European Union and Japan merely bowed to the political positions of the United States. The draft resolution adopted at the previous session had blocked all cooperation between the Democratic People's Republic of Korea and other countries. His country unequivocally rejected the draft resolution — a position which would not change in the future.

9. **Ms. Li Xiaomei** (China) said that her country believed that differences in the human rights arena should be addressed through dialogue and cooperation. Intervening in other countries' internal affairs ran counter to the Charter of the United Nations and would only impede international cooperation in the area of human rights. In recent years, the Democratic People's Republic of Korea had made unremitting efforts to improve the livelihood of its people. The international community should adopt an objective, pragmatic approach and provide humanitarian assistance to help

the country with the economic and social development challenges it faced.

10. **Ms. Astiasarán Arias** (Cuba) said that her Government maintained a traditional position against country-specific resolutions which sought to selectively accuse countries of the South on the basis of clear political motivations without any relationship to the real defence of human rights. Such harmful practices had been responsible for discrediting the former Commission on Human Rights and had led to its disappearance. The Human Rights Council with its universal periodic review mechanism was the proper forum for the examination of human rights. Her delegation's opposition to the draft resolution did not, however, imply a value judgment on the unresolved questions referred to in paragraph 2, which required a just solution involving all concerned parties. Only genuine international cooperation based on the principles of impartiality, objectivity and non-selectivity could ensure the promotion and effective protection of human rights.

11. **Mr. Nishida** (Japan) said his country believed that concerns regarding the promotion and protection of human rights should generally be addressed through dialogue and cooperation. However, there were grave concerns with regard to the human rights situation in the Democratic People's Republic of Korea which should be addressed through the adoption of draft resolution A/C.3/67/L.50.

12. The universal periodic review was a valuable opportunity for all countries to review their respective human rights situations and to accept the Council's recommendations. The Democratic People's Republic of Korea had joined the process in December 2009 but had not yet accepted any of the 167 recommendations that had been made. It had likewise refused to engage in any dialogue and constructive cooperation with regard to the special procedures mandated by the Human Rights Council. The abduction issue remained outstanding, with 12 of the 17 Japanese nationals identified by his Government as having been abducted by the Democratic People's Republic of Korea not yet returned. He urged all delegations to adopt the draft resolution and hoped that the Democratic People's Republic of Korea would accept its recommendations.

13. **Mr. Lukiyantsev** (Russian Federation) said that said that his country had repeatedly opposed the ongoing practice of selective and unilateral country-

specific draft resolutions being submitted to United Nations human rights bodies for consideration. Such working methods had not provided for resolution of human rights concerns in past years.

14. While the international community could be called on to render technical assistance in the area of human rights, the primary responsibility for promoting and protecting those rights lay with States themselves. The establishment of the Human Rights Council and the successful functioning of the universal periodic review provided new opportunities for a constructive and mutually respectful dialogue in the area of human rights. The consideration of human rights situations in individual countries should therefore take place within the framework of the Council's review process. That position was applicable to all country-specific draft resolutions considered by the Committee at the current session.

15. **Ms. Smaila** (Nigeria) said that the international community should engage in a constructive dialogue with the Democratic People's Republic of Korea on the basis of mutual sovereignty and territorial integrity. Selectivity had no place in the consideration of human rights issues, especially where country-specific situations were concerned. Her delegation expressed appreciation for the efforts of the Democratic People's Republic of Korea to cooperate with United Nations agencies. Abduction-related issues were best resolved at the bilateral level. In that connection, she called on the Democratic People's Republic of Korea, on humanitarian, not political, grounds, to provide information to families with missing relatives and to cooperate fully with the Human Rights Council. Countries within the same region should further develop their cooperation with the Democratic People's Republic of Korea in the interest of good neighbourliness.

16. **Ms. Solórzano-Arriagada** (Nicaragua) said that her delegation continued to reject, on principle, the submission of country-specific draft resolutions on human rights. The Human Rights Council was the appropriate body to address such issues, specifically through the universal periodic review mechanism, in which all countries were examined on an equal footing.

17. **Mr. Ja'afari** (Syrian Arab Republic) said that his delegation regretted that some States insisted on introducing draft resolutions dealing with the human rights situations in specific countries for political

reasons. The practice threatened the credibility of political and legal reference points in the framework of international relations and undermined international consensus on the machinery dealing with human rights.

18. His delegation wished to reaffirm its opposition in principle to such initiatives based on the Syrian Arab Republic's refusal to invoke human rights issues selectively in order to interfere in the internal affairs of Member States on humanitarian and legal pretexts. Doing so contradicted the Charter of the United Nations, which affirmed the principle of the sovereign equality of all Member States. Good neighbourliness and the peaceful settlement of disputes were not advanced through the adoption of country-specific resolutions. Human rights issues should be dealt with in the appropriate forum, namely the Human Rights Council, which reviewed questions of human rights in all Member States and not in specific States.

19. **Ms. Calcinari Van Der Velde** (Bolivarian Republic of Venezuela) said that her delegation opposed the politically motivated submission of country-specific resolutions on human rights issues without due respect for the principle of sovereign equality. The Human Rights Council, through the universal periodic review, was a valuable tool for the impartial, objective and non-selective examination of human rights situations in all countries. Her delegation supported the pursuit of constructive dialogue between concerned parties without resorting to country-specific resolutions, which merely reflected a policy of double standards on the part of certain powers.

20. **Mr. Khazaei** (Islamic Republic of Iran) said that his delegation rejected the continued practice of introducing country-specific draft resolutions, which were selective and politically motivated. The universal periodic review was the main intergovernmental mechanism mandated to review human rights issues at the international level for all countries, without distinction. His delegation did not support the current draft resolution.

21. *Draft resolution A/C.3/67/L.50 was adopted.*

22. **Mr. Kim Song** (Democratic People's Republic of Korea) said that constructive dialogue and confrontation were incompatible and his delegation did not accept the draft resolution, which had nothing to do with promoting human rights. Western Governments were turning a blind eye to human rights concerns in

their own countries by collectively targeting the Democratic People's Republic of Korea.

23. The representative of Japan had spoken impassively about the human rights situation in his country whereas Japan itself persisted in refusing to recognize or offer reparation for all kinds of crimes that it had committed in the Democratic People's Republic of Korea, including the forced conscription of more than 8.4 million young Koreans and the forced sexual slavery of 200,000 Korean women for the Japanese army of aggression.

24. **Mr. Rishchynski** (Canada) said that his delegation was deeply concerned about the systematic, widespread and grave violations of human rights by the rogue regime in the Democratic People's Republic of Korea. His Government was disturbed by the lack of basic human rights in that country, including a total disregard for freedom of religion and expression; the severe living conditions in detention centres and prison camps; and the cruel and despicable treatment of prisoners, including the use of torture, rape, forced abortions and public executions.

25. Respect for human rights was a cornerstone of democratic society and essential for the protection of human dignity and fundamental freedoms. The passing of totalitarian leader Kim Jong-Il had presented an opportunity for the regime to emerge from six decades of self-inflicted misery and isolation. Unfortunately, no positive change had been observed as yet. He called on the Government of the Democratic People's Republic of Korea to close its concentration camps and to abide by its human rights obligations. The regime had tried forcibly to stop its population from finding a better life. However, like all people in the world, the citizens of the Democratic People's Republic of Korea were entitled to basic rights; it was hoped that they would one day enjoy those human rights. Until then, Canada would express its abhorrence of the dire violations occurring in that country.

26. **Mr. Kommasith** (Lao People's Democratic Republic) said that the promotion and protection of human rights were legitimate interests of the international community as enshrined in the Charter of the United Nations and the Universal Declaration of Human Rights. At the same time, differences in the human rights arena should be addressed on the basis of mutual respect, taking into account individual environments and religious backgrounds. The

application of double standards should be avoided. The fact that his delegation had joined the consensus should not be understood as support for country-specific resolutions, which were politically motivated and as such did not help to resolve human rights situations.

27. **Mr. Oh** (Singapore) said that his delegation disagreed with the adoption of country-specific draft resolutions as a matter of principle. However, that position should not be interpreted as condoning the mistreatment of citizens in any country. He called on all countries to respect human rights and fundamental freedoms.

28. **Mr. de Séllos** (Brazil) said that his delegation welcomed the references in the draft resolution to cooperation between the Democratic People's Republic of Korea and United Nations agencies. He encouraged that country to engage in close dialogue with the Organization to assess its needs in terms of international cooperation and also encouraged the international community to support the citizens of the Democratic People's Republic of Korea by providing additional capacity-building assistance to that country. Recalling the humanitarian aid his Government had already provided, he reiterated Brazil's willingness to share its experience in agricultural production and in the development of programmes and policies on the right to adequate food. The struggle against hunger and poverty should be a goal for all countries, regardless of political differences.

29. **Ms. Li Xiaomei** (China), expressing support for the statement made by the representative of the Democratic People's Republic of Korea, said that her delegation wished to dissociate itself from the consensus on the draft resolution.

30. **Mr. Fiallo** (Ecuador) said that while his delegation had joined the consensus, it did not support country-specific draft resolutions, which rather than improving human rights situations, most often resulted in damaging relations between the international community and the targeted country. The universal periodic review was the appropriate mechanism to address human rights violations in all countries.

31. **Ms. Sabja** (Plurinational State of Bolivia) said that her delegation did not support country-specific resolutions, which were selective and politically motivated and as such had been used to discredit the former Human Rights Commission. Only an impartial, non-selective dialogue could help address human rights

concerns effectively: the universal periodic review was the appropriate mechanism for such dialogue.

32. **Mr. Amorós Núñez** (Cuba) and **Ms. Calcinari Van Der Velde** (Bolivarian Republic of Venezuela) said that their respective delegations wished to dissociate themselves from the consensus on the draft resolution for the reasons their delegations had previously stated.

33. **Mr. Kim Song** (Democratic People's Republic of Korea) said that his delegation rejected the statement made by the representative of Canada, including the insulting and groundless allegations against the regime of Kim Jong-Il. He urged the Government of Canada to renounce its hostile stance against the Democratic People's Republic of Korea.

Draft resolution A/C.3/67/L.51: Situation of human rights in the Islamic Republic of Iran

34. **The Chair** said that the draft resolution had no programme budget implications.

35. **Mr. Rishchynski** (Canada), speaking as the main sponsor of the draft resolution, said that the decision to put forward a draft resolution on the Islamic Republic of Iran had not been taken lightly. The human rights situation on the ground had seen no improvement since the Committee had discussed the issue the previous year. The Iranian Government's persistent disregard for human rights and the egregious nature of its violations warranted the continued attention of the General Assembly. It had, moreover, not permitted the Special Rapporteur to make a visit and carry out his mandate.

36. The sponsors had made an effort accurately and objectively to reflect in the text the developments over the past year. As the only body responsible for international human rights issues within the General Assembly, the Committee had an obligation to hold the Government accountable for the very serious human rights violations and to provide a voice for the Iranian people.

37. **Mr. Rivas** (Uruguay) said that while his delegation was concerned about the human rights situation in the Islamic Republic of Iran, it also had noted the progress made by the Iranian Government in fostering a better environment for the respect of human rights through the strengthening of dialogue with the international community. His delegation would abstain from voting on the draft resolution; he nonetheless

urged Iran to engage fully with the international community and to facilitate access for the special procedures mandate holders.

38. **Mr. Zhumabayev** (Kazakhstan), speaking on behalf of the Organisation of Islamic Cooperation (OIC), said that OIC was opposed to the use of country-specific resolutions, which tended to selectively targeted developing and Islamic countries. OIC Member States were opposed to any initiative that could lead to the use of human rights as a means of exerting political pressure on developing countries. The submission of country-specific draft resolutions did not contribute to improvement of human rights situations but rather made change more difficult. The draft resolution currently under consideration contradicted the spirit of cooperation. Moreover, the situation in the Islamic Republic of Iran did not warrant such a resolution. OIC regretted that the draft resolution had been submitted despite the evidence of the Islamic Republic of Iran's cooperation with human rights mechanisms and the positive developments in the country. He urged all Member States to oppose the measure.

39. **Mr. Ri Tong Il** (Democratic People's Republic of Korea) said that his delegation opposed the draft resolution, which was politically motivated and violated the principles of impartiality and selectivity. Changes in national human rights situations could not be imposed by the international community and country-specific resolutions only undermined trust between nations and resulted in politicization of United Nations human rights mechanisms. Human rights concerns should be addressed through an objective constructive dialogue.

40. **Mr. Khazaei** (Islamic Republic of Iran) said that the Iranian people did not need Canada or any other country to voice its opinion; it had been expressing its opinion for 33 years, despite the hostility of Canada and other Western nations. Canada should examine its own human rights situation, in particular, its record on the treatment of minority groups, before making accusations against other countries.

41. He expressed appreciation for the statements made by the representatives of Cuba, as Coordinator of the Working Group on Human Rights of the Non-Aligned Movement, and Kazakhstan, as Chair of the OIC Council of Foreign Ministers.

42. The draft resolution under consideration — a clear attempt by the Canadian Government to abuse human rights mechanisms in order to advance its own political interests — undermined the potential of the United Nations to promote human rights and created further politicization of those issues within the Organization. The draft resolution contained numerous unsubstantiated allegations and in no way reflected the actual human rights situation on the ground. It moreover did not take account of the internal mechanisms designed to protect and promote human rights and overly focused on the rights of just one minority in Iran, which in fact boasted a diverse society.

43. The United Nations human rights special procedures mandate holders assigned to specific countries were particularly vulnerable to manipulation and politicization. Selective country-specific resolutions reduced noble human rights concerns to manipulative political devices. The international community had taken great pains to establish the universal periodic review to ensure respect for the principles of universality, objectivity, non-selectivity and impartiality in the work of the United Nations human rights machinery. Ideally, that mechanism should make it possible to monitor the human rights situations in all countries, without distinction. To cooperate fully with the new mechanism, the Iranian Government had sent a high-level delegation to participate in the Human Rights Council Working Group on the universal periodic review to present Iran's national report.

44. His delegation could not accept the draft resolution, not least because it gave a redundant mandate to the Secretary-General to compile a report in parallel with that of the so-called Special Rapporteur on the situation of human rights in the Islamic Republic of Iran. Despite opposition to such duplication, the Government of Iran had expressed its readiness to provide all necessary information for the preparation of impartial, non-political, accurate and well-documented reports. The reports of the Secretary-General were an important mechanism, provided they were professional and not politicized. Yet the Secretary-General's report on the situation of human rights in the Islamic Republic of Iran (A/67/327) overlooked his country's many achievements and positive developments in the area of human rights; suffered from partiality and lack of balance; and had

adopted a selective approach to the information provided. By repeating unfounded, illogical and unrealistic allegations and resorting to biased sources, the report had suffered a great loss of credibility.

45. Various reports by United Nations special procedures mandate holders provided evidence that Canada and other main sponsors of the draft resolution were implicated in serious human rights violations; ironically, none had come under scrutiny through country-specific resolutions. Certainly, none could deny the steady increase in importance of Islamophobia in the West, which had led to grave violations of the basic rights of Muslims. Specifically, the Special Rapporteur on violence against women had reported gross violations of the rights of women, particularly black women, in United States prisons and the United States army. The killing of innocent Afghan women and children in United States drone strikes also continued on a daily basis, as did the appalling conditions endured by detainees held in United States military custody. The Government of Canada, for its part, exhibited racist behaviour towards minority, especially indigenous, groups living in its territory. Lastly, the silence of so-called champions of human rights before the recent brutal attacks by Israel on innocent Palestinian civilians in the Gaza Strip had illustrated their hypocrisy all too well.

46. The best approach in promoting and protecting human rights throughout the world was to engage in meaningful and sincere cooperation. It was regrettable that the draft resolution targeting the Islamic Republic of Iran had been prepared solely for political purposes and thus lacked credibility so far as improving any human rights situation was concerned. In view of those considerations, he requested a recorded vote on draft resolution A/C.3/67/SR.51 and urged all delegations to vote against it and thus preserve the dignity and credibility of the United Nations human rights machinery.

Statements in explanation of vote before the voting

47. **Ms. Calcinari Van Der Velde** (Bolivarian Republic of Venezuela) said that her country remained firmly opposed to the practice of individually and selectively condemning certain Member States, utilizing their human rights situations as a pretext. Draft resolutions on human rights had become a tool for promoting specific political interests and for intensifying a game of strategic confrontation that was

undesirable, incoherent and illegitimate. The sponsors had themselves committed human rights violations, but no resolutions had been drafted against them. The only body competent to hear such matters was the Human Rights Council, whose universal periodic review mechanism guaranteed an impartial and objective review of human rights without singling out developing nations or any other country that stood in the way of the interests of powerful, imperialist countries. Dialogue, mutual respect and transparent, disinterested international cooperation based on full respect for the principles enshrined in the Charter were essential for the promotion and protection of human rights. Venezuela would therefore vote against the draft resolution.

48. **Mr. Amoros Núñez** (Cuba) said that Cuba wished to reiterate its principled opposition to country-specific resolutions that essentially targeted developing countries and had nothing to do with protecting or advancing human rights. Such tactics had discredited the earlier Human Rights Commission and had led to its dissolution. The establishment of the Human Rights Council, especially its universal periodic review mechanism, offered a means for examining the human rights situation in all countries equally, on the basis of genuine, fruitful dialogue. International cooperation based on objectivity, impartiality and non-selectivity remained the only path for the effective protection of human rights. The draft resolution represented the opposite, and Cuba would therefore vote against it.

49. **Mr. Ja'afari** (Syrian Arab Republic) said that his country rejected the interference of any State in the affairs of other States on the pretext of defending human rights. The concept of human rights should be addressed via a consensual approach based on the principle of sovereign equality among States, which had been established when the United Nations was founded and was clearly enshrined in its Charter. Some Member States were evidently unhappy with the Charter and had decided to set new politically-motivated goals that deviated from the Charter and international conventions. His delegation believed that understanding and objective, responsible dialogue based on mutual respect for national sovereignty, territorial integrity, non-selectivity and transparency were the correct way to bring the views of Member States into closer alignment and to protect human rights, as well as to guarantee that everyone enjoyed fundamental freedom and liberty while respecting

national legislation and paying due attention to national, regional, cultural and religious differences.

50. The insistence on drafting politically-motivated human rights resolutions threatened the credibility of international political and legal frameworks and undermined the international consensus on the methods for addressing human rights. More importantly, it weakened the consensus on the importance of the universal periodic review. Human rights were of the utmost importance to his country and nothing was more harmful to their sanctity than politicizing them and using them as a ploy, which created a double standard within the international community. His delegation would therefore vote against the draft resolution.

51. **Mr. Fiallo** (Ecuador) said that his country wholly supported the work of the Human Rights Council, the body empowered to address and examine the situation of human rights, in particular through its universal periodic review, which was the appropriate mechanism for advancing human rights and which upheld the principles of universality, impartiality, objectivity, equality among States, and non-selectivity. Ecuador firmly rejected the continued harassment of specific countries, which had been used in the past to justify foreign invasions and which served only to worsen the human rights situations. For all those reasons, Ecuador would vote against the draft resolution.

52. **Ms. Belskaya** (Belarus) said that the draft resolution was one of a number of politically motivated mechanisms that could not enhance dialogue with the countries concerned. Her country categorically rejected such approaches, which undermined the foundations of the United Nations frameworks for the defence of human rights. Belarus wished to note that Iran had adopted the overwhelming majority of recommendations made as part of its 2010 universal periodic review. It also wished to note the lack of a convincing reaction by United Nations human rights mechanisms in the face of coercive measures undertaken by various countries against the people of Iran, which constituted a form of extraterritorial violation of human rights and deserved the most serious condemnation. Since there had not been a single example that would have affirmed the effectiveness of instruments such as the draft resolution before the Committee, her country would vote against it and would maintain that position in the future.

53. **Ms. Sabja** (Plurinational State of Bolivia) said that her country firmly supported the principles of non-interference and respect for sovereignty and would therefore vote against the draft resolution, which politicized the protection of human rights and ran counter to the principles of the United Nations Charter. The Human Rights Council was the appropriate body to address human rights situations through a process of dialogue and constructive examination.

54. *At the request of the representative of Iran, a recorded vote was taken on draft resolution A/C.3/67/L.51.*

In favour:

Albania, Andorra, Argentina, Australia, Austria, Barbados, Belgium, Belize, Bosnia and Herzegovina, Botswana, Bulgaria, Canada, Cape Verde, Central African Republic, Chile, Colombia, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, El Salvador, Estonia, Finland, France, Germany, Greece, Guatemala, Haiti, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Japan, Kiribati, Latvia, Liberia, Libya, Liechtenstein, Lithuania, Luxembourg, Malawi, Maldives, Malta, Marshall Islands, Mexico, Micronesia (Federated States of), Monaco, Montenegro, Nauru, Netherlands, New Zealand, Norway, Palau, Panama, Papua New Guinea, Paraguay, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Saint Kitts and Nevis, Samoa, San Marino, Sao Tome and Principe, Senegal, Serbia, Slovakia, Slovenia, Solomon Islands, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Timor-Leste, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Vanuatu.

Against:

Afghanistan, Armenia, Bangladesh, Belarus, Bolivia (Plurinational State of), Brunei Darussalam, China, Cuba, Democratic People's Republic of Korea, Ecuador, Egypt, Eritrea, India, Iran (Islamic Republic of), Kazakhstan, Kuwait, Lebanon, Nicaragua, Oman, Pakistan, Qatar, Russian Federation, Sri Lanka, Sudan, Syrian Arab Republic, Tajikistan, Turkmenistan, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Zimbabwe.

Abstaining:

Algeria, Angola, Antigua and Barbuda, Bahamas, Bahrain, Benin, Bhutan, Brazil, Burkina Faso, Burundi, Cambodia, Cameroon, Comoros, Congo, Côte d'Ivoire, Democratic Republic of the Congo, Djibouti, Dominican Republic, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guinea, Guinea-Bissau, Guyana, Indonesia, Iraq, Jamaica, Jordan, Kenya, Kyrgyzstan, Lao People's Democratic Republic, Lesotho, Malaysia, Mali, Mauritania, Mauritius, Mongolia, Morocco, Mozambique, Namibia, Nepal, Niger, Nigeria, Philippines, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Sierra Leone, Singapore, South Africa, South Sudan, Suriname, Swaziland, Thailand, Togo, Trinidad and Tobago, Tunisia, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Yemen, Zambia.

55. *Draft resolution A/C.3/67/L.51 was adopted by 83 votes to 31, with 68 abstentions.*

Statements in explanation of vote after the voting

56. **Mr. Ruru** (Indonesia) said that his delegation fully supported the efforts of international community to protect and promote human rights in all countries. However, those efforts should be based on mutual respect and genuine international dialogue and cooperation. The universal periodic review provided a mechanism for examining the human rights situation in all Member States on an equal basis and should be maximized to eliminate selectivity, double standards and politicization. Indonesia supported efforts to advance the human rights situation in Iran, but wished to voice its concern at the absence of any reference to negotiations in the current draft resolution, which created a lack of engagement between its sponsors and the country in question, limiting the opportunity for improving the human rights situation in that country. His country had therefore abstained.

57. **Mr. de Séllos** (Brazil) said that his country's abstention did not represent indifference to the issue. International concern about the situation of human rights and fundamental freedoms in Iran was certainly legitimate, but the draft resolution did not reflect in substance or approach the report of either the Special Rapporteur or the Secretary-General. It included certain challenges not mentioned in either report and omitted aspects deemed positive in both. Among the

positive aspects were Iran's participation in dialogue with treaty bodies such as the Committee on the Elimination of Racial Discrimination and the Human Rights Council, its participation in the universal periodic review in 2010, the improvement in its human development indicators and its adoption of favourable measures towards Afghan refugees through temporary residence permits for those with proper documentation. Moreover, the draft resolution did not mention the effects of unilateral sanctions on Iran's socioeconomic situation, as described in the Secretary-General's report.

58. A more objective and balanced approach would give draft resolutions on specific human rights situations greater legitimacy. Brazil encouraged Iran to engage in more constructive dialogue with United Nations bodies, as well as with the Special Rapporteur, and to use the Human Rights Council and other United Nations agencies to strengthen its commitment and capacities in human rights. The situation of human rights defenders, lawyers, union leaders, political dissidents and the lesbian, bisexual and gay community in Iran was also of concern. Brazil maintained its position on the renewal of the mandate of the Special Rapporteur, to be considered in March 2013. It offered its views in a spirit of constructive dialogue and would do the same with respect to any other country.

59. **Mr. Duale** (Somalia) said that the draft resolution was flawed and unacceptable to his Government for the reasons given by the chair of the Organization of Islamic Cooperation and others. Had his delegation been present, it would have voted against it.

60. **Ms. Li Xiaomei** (China) said that China had voted against the draft resolution based on its consistent opposition to country-specific resolutions on human rights. No country had a perfect human rights record, including those that proposed human rights resolutions.

61. As a developing country, Iran had dedicated itself to protecting the human rights and fundamental freedoms of its people. Instead of resorting to country-specific resolutions as a means for applying pressure, the international community should provide Iran with practical and constructive help.

62. **Mr. Nishida** (Japan) said that Japan had voted in favour of the draft resolution, on the grounds that many human rights issues in Iran still required improvement, including restrictions on freedom of peaceful assembly

and association, freedom of opinion and expression, cruel punishment and the execution of minors. On the other hand, the Government of Japan had held its eighth bilateral human rights dialogue with Iran in September 2012. Japan took the fact that Iran had agreed to continue talks as a positive sign; in addition, Iran seemed to have positively engaged with United Nations human rights treaty bodies. Japan encouraged Iran to implement the 123 recommendations it had accepted during the universal periodic review in 2010. Japan had therefore supported the resolution without becoming a sponsor and would continue to work constructively with Iran to achieve improvements in its human rights situation. His country expected Iran to continue its dialogue with the international community and to cooperate with the Office of the High Commissioner on Human Rights and the Special Rapporteur.

63. **Mr. Labo** (Niger) said that his country's foreign policy opposed country-specific measures and actions that targeted individual States. Moreover, there could be no absolute definitions of good or bad with respect to the human rights situation in a given country; all such labels were relative.

Draft resolution A/C.3/67/L.52: Situation of human rights in the Syrian Arab Republic

64. **The Chair** said that the draft resolution had no programme budget implications.

65. **Mr. Laram** (Qatar), introducing draft resolution A/C.3/67/L.52, said that Mauritania, Portugal, Liechtenstein and Vanuatu had joined the sponsors.

66. The serious violation of the human rights of the Syrian people, including their right to life, freedom of expression and self-determination, required a firm response from the General Assembly commensurate with the Syrian Government's flagrant crimes against its own people. Tens of thousands of innocent people, most of them women and children, had lost their lives. In view of the deteriorating humanitarian situation and the danger to neighbouring countries, whose citizens had already taken in thousands of Syrian refugees, it was also important to bear in mind the regional implications, including the threat to regional peace and security. That situation was compounded by crimes involving children and crimes against humanity, as recalled in statements by the Secretary-General, the

Office of the High Commissioner for Human Rights and human rights organizations.

67. The draft resolution had drawn on wording from relevant resolutions on the human rights situation in the Syrian Arab Republic that had been adopted by the General Assembly, the Security Council and the Human Rights Council, relying on the purposes and principles of the United Nations Charter and the main human rights instruments, and with due respect for Syria's sovereignty, independence, territorial integrity and unity, and taking into account resolutions adopted by the League of Arab States and the Organization of Islamic Cooperation.

68. Human rights violations deserved to be condemned regardless of their source, but violations by the opposition could not be compared to the systematic massacres committed daily by a Government that claimed to be legitimate and whose structure controlled State services and possessed a huge military arsenal.

69. Adoption of the draft resolution would send a message to the brave Syrian people who had been suffering for 20 months. It would also express the indignation of the international community and its determination to find a solution that would guarantee the fundamental right of the Syrian people to the rule of law and equality and to see those who had committed such heinous crimes against them brought to justice.

70. **Mr. Ja'afari** (Syrian Arab Republic) said that some delegations were using the Third Committee to advance their own political goals in violation of the Charter and international humanitarian law, distracting the Committee from its true humanitarian objectives and setting a regrettable precedent with respect to the role of the international community in protecting and promoting human rights. That situation was all the more regrettable because three members of the Arab League had joined the sponsors of the draft resolution and were being used by the West to interfere in Syrian internal affairs. It was clear to anyone, however, that the Arab States had become the tool of interventionist Western policies that threatened the possibility of common Arab action.

71. Even worse, those Arab States had presented their draft resolution against Syria on the very same day that Israeli planes were bombing Gaza. Qatar was one of the countries that, by sponsoring the draft resolution, had given invaluable support to Israeli aggression. It

was clear that the League of Arab States had become a tool to divide the Gulf. What remained of the League was prepared to offer its services to any party that sought to harm Arab countries. Despite its oil, it was politically, ethically and financially bankrupt. The Secretary-General of the League had even addressed a message of gratitude to the European Commission, thanking it for offering to finance crisis cells within the League.

72. His delegation wished to know why all those merchants and couriers of human rights, whether Arab or not, had shown no enthusiasm whatsoever for the Arab Spring in Palestine. Apparently their courage had failed them when it came to Israel. The representative of Morocco had said earlier that the three main sponsors — Qatar, Saudi Arabia and Morocco — hoped for a Syrian society based on the principles of equality, justice, non-discrimination, democracy and the rule of law. Syria agreed; in fact, the Syrian people hoped to create a Syrian democracy that met Syrian needs — not a bloodthirsty *salafist*, Wahhabist or *takfirist* democracy based on religion or petrodollars and imposed by foreigners through armed violence that turned whole segments of society against each other. The Syrian people needed a society free from foreign meddling by countries like Qatar and Saudi Arabia, which paid lip service to human rights but whose Governments lacked a parliament and stifled their own opposition.

73. Just a day earlier, the *mufti* of Saudi Arabia, who functioned as that country's general prosecutor, had issued a fatwa holding that anyone who criticized the country's leaders on websites and satellite channels would be considered an infidel, which paved the way for the murder of dissidents in Qatar and Saudi Arabia. Neither country was party to the International Covenant on Civil and Political Rights; his own country had acceded in 1969, before Qatar had won independence from the United Kingdom and before the Covenant had entered into force. That comparison was important for understanding the true motives behind the sponsorship of the draft resolution against his country. Their draft resolution justified the murderous actions of terrorist armed groups against Syria and downplayed their crimes. Yet surely the murders, amputations, decapitations, expulsion of citizens on the basis of religion and decimation of entire families were violations that should be condemned. Perhaps the sponsors had in mind some kind of legitimate terrorism

against the Syrian people, especially women, children and the elderly, whose murders were financed and protected by Qatar, Saudi Arabia, Libya, Turkey, France and Great Britain. Some countries, namely Saudi Arabia, Turkey and Qatar, were an integral part of the problem and were sponsors of the violence and religious discord. It was shameful that some countries of the Arab League and the Organization of Islamic Cooperation had imposed inhuman economic, political and social sanctions that threatened the human rights of Syrians in violation of the principled position of the League of Arab States and the Organization of Islamic Cooperation, which had condemned those measures and refused to submit draft resolutions on the human rights situations in individual countries.

74. It was also shameful that many wealthy member nations of those two organizations were offering no assistance to the Syrian people while giving hundreds of millions of dollars to terrorist mercenaries and Al Qaeda, who were shedding innocent blood in Syria and destroying infrastructure, and that they were urging the Security Council to condemn the situation in Mali while financing those same groups to conduct terrorist activities in Syria. His delegation saluted the countries that refused to go along with such a flagrant political lie.

75. Countries like Qatar should leave Syria alone and not claim to feel sympathy for its children when their feelings were murderous. Nor should they spend their petrodollars to help terrorists, agents of destruction and criminals. If they really cared about the wellbeing of the Syrian people they should lift their sanctions, end their media wars, stop their sectarian incitement and obscurantist aggression and cease exploiting the great, tolerant religion of Islam and distorting it with Wahhabist or *salafist* thinking.

76. The draft resolution blamed the Syrian Government for everything that happened without condemning the armed terrorist groups and the countries that manipulated them. The countries that prepared the draft resolution had not bothered to call for the cessation of violence or for national dialogue to resolve the crisis in accordance with the principles of the peaceful settlement of disputes, as set forth in the six-point plan, the Geneva Declaration and the mission of United Nations Special Envoy Lakhdar Brahimi. The draft resolution looked at events in Syria from a very narrow point of view. His delegation wondered if the sponsors had ever read the hundreds of

international media reports, such as the report of the chair of the Independent International Commission of Inquiry, Mr. Paulo Pinheiro, who in New York in October 2012 had noted the presence in Syria of foreign fighters from 11 countries, and not only neighbouring ones. On behalf of his Government, he had sent an official message to the Secretary-General with the names of 143 foreign terrorists, including Libyans, Tunisians, Saudis, Qataris and others, who had been killed.

77. Like all Member States, his country was experiencing a number of problems that must be solved by implementing comprehensive reform in many areas of political, economic and social life. However, in accordance with the principles of the Charter and international law, such reform should be instituted at the national level and not through political resolutions brokered by certain Member States to exploit other countries.

78. Lastly, preambular paragraph 7 of the draft resolution stated that the countries adopting the resolution were committed to the sovereignty of the Syrian Arab Republic and to its independence, unity and territorial integrity, and that they wished to express their devotion to the principles of the United Nations Charter. He wondered how that attitude could be reconciled with interference in Syria's internal affairs on the part of Qatar, Saudi Arabia and Turkey.

79. His delegation called on Member States to respect human rights, to act according to their conscience and to adhere to the facts without politicizing them or resorting to plots or threats. His Government sought to protect its sovereignty, to improve society and to make progress through serious change, and it enjoyed the support and trust of the majority of the Syrian people. His delegation called for a recorded vote on draft resolution A/C.3/67/L.52 in order to protect the dignity and credibility of the human rights mechanisms of the United Nations. He called upon all States to vote against the draft resolution and against interference in the affairs of other States.

The meeting rose at 1.05 p.m.